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TAGS: [KFRD](#) [CVIS](#) [CMGT](#) [ASEC](#) [NI](#)  
SUBJECT: FRAUD SUMMARY - LAGOS FIRST QUARTER 2008

REF: 07 STATE 171211

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COUNTRY CONDITIONS  
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1. Background: Nigeria covers 356,669 sq miles and has a population of approximately 144 million. The major languages are English (official), Yoruba, Igbo, and Hausa. Approximately 60% of the population is below the poverty line for Nigeria. The current GDP is 1,500 dollars, and the inflation rate is 8.2%. This high poverty rate, coupled with the population pressures, induces large-scale migration.

2. Nigeria has very limited internal controls over the issuance of documents, to include passports. The lack of controls and a high incidence of bribery that permeates every level of society create an environment where anything and everything is available and for sale. With enormous hunger for visas as an escape route, documents that cannot be trusted, and security situations that make travel difficult, Lagos is a high-fraud post.

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NIV FRAUD  
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3. The NIV unit continues to see fraudulent documents submitted to create the impression of an established travel history. NIV officers have encountered many different varieties of fake visas - Schengen, Canadian, Chinese, Indian, South African, and so forth - along with hand-carved entry and exit stamps, all intended to bolster a weak or non-existent travel history. After the NIV officers make their determinations in these cases, the ARSO/I frequently speaks with the applicants regarding their document supplier and then hands them over to the Nigerian police.

4. Post's ARSO/I recently aided the Nigerian police in the exposure and arrest of a counterfeit visa producer. The Italian Consulate contacted the ARSO/I about a suspect Nigerian passport that had a U.S. Teslin foil visa issued in it. As the bearer of the passport was being escorted to the U.S. Consulate, a man claiming to be her brother followed, and he was asked to accompany her. Through questioning it became clear that he was not her brother, but rather the man who supplied her with the photosubbed passport. They both were turned over to the police, and after questioning the man led the ARSO/I and the Nigerian police to the counterfeiter. They uncovered and seized a large number of fake Schengen visas of surprisingly high quality, as well as some Canadian visas and a U.K. passport in the process of being doctored.

5. IAFIS results have revealed previously-undisclosed criminal histories. Applicants who were arrested for and convicted of controlled substance violations in the 1980s and early 1990s have in some instances been issued multiple nonimmigrant visas in the

interim despite their permanent ineligibilities because there was no record in the CLASS system. IAFIS has enabled post to detect these people and deny them the visas for which they are not eligible.

¶6. R1 religious worker visas continue to be a point of concern. In the case of large religious groups such as the Catholic Church, there are established organizations with which we can work to verify the claims of applicants in Nigeria and the receiving church in the United States. Smaller churches, such as the evangelical sects, present more of a problem when it comes to authenticating documents and membership. The ongoing investigation by DHS into the Redeemed Christian Church of God (RCCG) in Texas has meant that officers have been refusing R1 applicants for that organization under 221g pending the outcome. Since beginning this practice, post has seen applicants for other petition-based NIVs, mostly H1Bs, who are going to work for consulting and accounting firms whose clients include the RCCG; post has refused these applicants under 221g as well.

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IV FRAUD  
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¶7. The bulk of the FPU's resources are devoted to unearthing fraud for IV and DV cases. FPU conducts field investigations to verify the validity of submitted documents and claimed relationships. FPU investigators have built up a stable of trustworthy contacts in various regions of the country over the years. These have proven an invaluable resource, as Nigeria is a country where the public officials themselves are often implicated in the deception, whether through ignorance of their own laws or through actual corruption.

¶8. F-1 unmarried adult children of American citizens continue to be a source of fraud investigations. Field visits by our investigators routinely find purportedly unmarried F-1s living with a spouse and children. Applicants also attempt to thwart our efforts at a field investigation by providing false contact information, which unfortunately adds to the duration of the investigation.

¶9. IR-2 stepchildren also present a challenge. The typical case involves a parent who travels to the United States on a visitor visa and then divorces the Nigerian spouse shortly after traveling or in some cases shortly before departure. The parent finds an American citizen spouse, whom they marry to adjust status, and then the American citizen petitions for the children in Nigeria as stepchildren. FPU utilizes a number of tools to combat this fraud. CCD searches show whether or not left-behind spouses have been issued a visa themselves, while Lexis-Nexis allows us to see if the petitioner and biological parent are listed as living together. An FPU field investigation shows whether or not the surrounding community is aware of the divorce, and whether or not the biological parent in the United States is carrying on a relationship with the left-behind.

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DV FRAUD  
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¶10. Educational qualifications continue to be a fraud concern for the DV. Post has found an established fraud trend wherein applicants finish secondary school a decade before winning the DV, and the scores for their West African Examinations Council (WAEC) exam, usually taken at the end of their final year, are very poor. Flash forward to the present, when they win the DV lottery and decide to re-take the exam after some 'private tutoring.' These scores are very strong, but when the applicant comes for his interview he knows nothing about the subjects in which he supposedly excelled just months before. We have had a number of applicants confess under questioning in the FPU that they had assistance in completing the exam; in some cases, they were assisted by a fellow test taker. More alarmingly, in some cases they claim the test proctor read off the correct answers. In such instances the documents are good and, were we to verify them, would be found legitimate, but the applicants have no claim to the scores on them.

¶11. Lagos also sees a large number of 'clip-ons,' spouses acquired after entering the DV lottery. Many of these prove to be fraudulent relationships. While FPU conducts some field visits to determine

the validity of relationships, in many cases a simple split interview in the FPU offices suffices to verify relationships.

¶12. Lagos has recently encountered cases that confirm our long-held suspicion that there exist entrepreneurs in Nigeria who act as full-service diversity visa fixers, from filling out the initial entry form to preparing the document package to coaching for the actual interview, along the way clipping on spouses to previously single entrants to increase revenue.

¶13. In one recent case, a female applicant entered the DV as single. When she was scheduled for an interview and her case file received at post, it showed that she was married and included a marriage certificate and a DS-230 for her spouse. It also had an extra DS-230 for her, stamped as received at KCC four days after her own DS-230, with a different photograph and different names for her parents. When the applicant was called to the window, she maintained that she was not and had never been married, and she did not recognize either of the extra photographs included in her case file.

¶14. The applicant explained that she had entered the DV lottery by filling out a paper form; a man had come to the village where she lived and handed out the forms to everybody there. He filled his own contact information on her entry, and when her name was selected, her letter and form packet went to him. In order to obtain her packet, she was forced to pay 20,000 Naira (the equivalent of about \$160) in order for him to release it to her. She mailed her DS-230 to KCC, along with a change of address request, and refused further contact with the visa fixer. It is clear that the visa fixer received extra money from the 'husband' to clip him on to this single woman's entry; when she did not cooperate, he attempted to replace her on the entry as well.

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ACS FRAUD  
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¶15. Financial scams - known as '419' scams after the section of the Nigerian penal code relating to financial crime - continue to be a huge issue for ACS. The ACS Unit receives an average of 20 inquiries daily through e-mail and telephone from American citizens as well as citizens from other countries who have been defrauded by Nigerians posing as romantic interests, Americans in distress, or lawyers trying to disburse a settlement or inheritance. Some of these American citizens have sent large sums of money to Nigeria. Unfortunately, all we can do is refer them to the Economic and Financial Crimes Commission in Nigeria and the Secret Service in the United States.

¶16. The U.S. passport continues to be a highly coveted document. One recurring scenario is the first-time passport applicant who is in his late teens. The applicant will provide a birth certificate for a child born in the United States, as well as perhaps an infant passport, or the passport of the purported mother with the child endorsed in it. FPU does field investigations to verify the identity of the applicant as that listed on the birth certificate.

¶17. Post also sees many applications for Consular Reports of Birth for the children of recently-naturalized male American citizens. In order to qualify as an American citizen from birth, a child must be born after the American citizen has naturalized, and in some of the applications the timing is very close. In one case, FPU investigators went to the hospital in question to verify the hospital documents the mother submitted as evidence of birth for the baby. The investigators found that the registration number on the documents was in the hospital's records for another woman; the hospital records and birth certificate were not legitimately issued. The parents had attempted to move the child's birth date forward in order for him to qualify for citizenship.

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ADOPTION FRAUD  
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¶18. Local courts continue to issue suspect adoption orders. In order to be a valid adoption under Nigerian law, adoptive parents must fulfill certain requirements, including but not limited to

three months of custody of the child prior to the adoption order, as well as a personal appearance in court on the day the adoption is finalized. These requirements are frequently ignored by Nigerian courts, resulting in procedurally-invalid adoptions.

¶19. Starting in 2006, all adoptions coming through ConGen Lagos went a mandatory field investigation to ensure that the laws of Nigeria and the United States were followed during the adoption process. Our investigators would conduct a home visit to see if the child is living with the appointed guardian or with the biological parents who have supposedly relinquished all parental rights, and they go to the court registrars to see if the order was actually issued by the court. An analysis of the order itself could show whether or not the court followed its own procedures correctly.

¶20. This policy resulted in a greatly-protracted processing time for adoption visas, and the rate of fraud uncovered was not commensurate with the resources expended; only about 10% to 20% of the investigations were uncovering fraud that precluded visa issuance. Post therefore has loosened the policy to allow interviewing officers more discretion. We have conducted training sessions with interviewing officers and FPU investigators to help familiarize officers with what a good adoption looks like, and what indicators should prompt an FPU investigation. We have also created reference documents the officers can consult at the window to help guide their interviews. We hope that this will allow faster processing of strong cases while at the same time freeing up FPU resources for investigations into cases that are truly problematic.

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DNA TESTING  
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¶21. DNA testing has proven an invaluable tool in the deterrence of fraud. There are many instances where the evidence of relationship that would allow officers to make their decisions is unreliable, destroyed, or simply not available. Family photography, aside from the occasional posed studio portrait, did not become widespread until the late 1970s and early 1980s, and birth certificates have no security features to speak of and can be obtained easily. Officers request DNA testing fairly frequently. The samples, in the form of cotton swabs, are collected by an IV LES at the clinic where the required visa medical examinations are conducted. This is a duty that is rotated around the section. The Consulate sends the samples to the laboratory, and the notarized results are returned directly back to the Consulate via courier.

¶22. Applicants who know their relationship is not bona fide, in general, do not follow through with the DNA testing. Post has encountered several recent cases where a principal applicant was asked to do a DNA test with a derivative child, only for the principal applicant to return to the Consulate and say that they changed their mind - they don't want the child to travel after all. As the principal applicant has by this point executed a visa application for the derivative, a fake parent-child relationship constitutes alien smuggling; as a result, principal applicants are told there will be no issuance until the requested DNA testing is completed. In some cases, the principal applicant acquiesces and the DNA results are negative, resulting in a 6E finding. Other principal applicants attempt to remove the problematic child by 'killing them off' on paper - bringing in a fraudulent death certificate. FPU investigation into these documents reveals the fraud, and the end result is still a 6E.

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DHS FRAUD  
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¶23. We continue to receive about ten requests a week for transportation letters from legal permanent residents who report their green cards lost or stolen. Without DHS presence at post or access to their database, we struggle to confirm LPR status and determine if the LPRs have a criminal record.

¶24. The FPU receives and processes investigation requests from USCIS District Adjudicating Officers (DAOs) to verify documents submitted for many different types of petitions in the United States, from birth and death certificates to divorce decrees. The

FPU assists with these verifications, although resources are a constant issue. FPU always reminds the DAOs of the limitations - as the threshold of proof for many of these documents is so low, a positive finding regarding document authenticity is often no guarantee that the information contained therein is at all reliable.

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ALIEN SMUGGLING AND TRAFFICKING  
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¶25. In both the IV and NIV section we see frequent attempts at alien smuggling, whether through a sham marriage or the addition of an extra child. In some cases it is merely a member of the extended family who simply does not have a legal claim to the immigration benefit. However, in some cases, such as the DV clip-ons, there is a financial motivation; someone has agreed to pay in order to have that person added to an otherwise-legitimate application.

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DS INVESTIGATIONS  
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¶26. The consular section in general and the FPU in particular work closely with the ARSO/I recently assigned to Lagos. Cases are referred to the ARSO/I from IV, NIV, and ACS units, with the referral documented in the notes for the case. The ARSO/I has aided us in pursuing marriage fraud rings stateside through his U.S.-based DS contacts, and here in Lagos he has been pursuing the vendors of the fraudulent documents presented in interviews. His close working relationship with the Special Fraud Unit of the Nigerian police has resulted in the arrest of a number of fraudulent applicants. Through spot reports he keeps the consular section informed of the outcomes of the referred cases. The ARSO/I usually takes referrals directly from interviewing officers regarding instances of fraud that occur on a daily basis, while complex investigations that FPU has conducted are referred to the ARSO/I by the FPM. ARSO/I and the FPM have a strong working relationship and often collaborate on interviews, investigations and training. ARSO/I and FPM also benefit from the strong support of the Consular Chief and the Regional Security Officer.

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HOST COUNTRY DOCUMENTS  
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¶27. While Nigeria has recently updated its passport design to incorporate a microchip like the U.S. E-Passport, the older design remains valid and in circulation. It consists of a biodata page encased in plastic, UV-reactant features, and the passport number punched into the top edge of the inside pages.

¶28. The new e-passport incorporates other security features in addition to the microchip. It includes holographic and UV-reactant features, and each visa page in the booklet has the passport number punched into the outside edge. It is important to note that, while the document itself may appear more secure, the underlying process in order to obtain the passport remains highly flawed. Applicants for a Nigerian passport must submit a national identification card or a birth certificate, both of which are easily obtained on the open market, and they must submit an affidavit from a 'guarantor' who will attest to their good character. Attempts by Nigerian immigration to use biometrics collection to preclude passport issuance in multiple identities are hampered by the lack of infrastructure that would allow a passport office in one end of the country to connect via a network to an office on the other end. Even with the additional security features, the Nigerian passport remains an insecure and easily obtainable document.

¶29. Civil documents, by contrast, have essentially no security features. Marriage certificates vary widely in appearance; while they follow the same basic format, each local government authority has its own design. Marriage certificates and birth certificates are both filled out by hand in ball point pen, and are printed on plain white paper. These documents are incredibly easy to forge. In addition, controls and oversight in government offices are such that for sufficient payment a person can obtain virtually any government document from the source. With very few exceptions,



documents are taken with a grain of salt, and without verification by FPU that there is a corresponding entry in the logbook of the office that supposedly issued the certificate or court order, we consider most documents to be of very little value.

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COOPERATION WITH HOST GOVERNMENT  
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130. The FPU has enjoyed a strong relationship with the Nigerian Police Department for many years, referring cases to them where Nigerian laws have been broken. The Special Fraud Unit has aided in the arrest of applicants who have presented fraudulent documents, as well as tracking down the document vendors.

131. The FPU has also enjoyed years of support from local governments, schools and marriage registries in our verifications of documents. Lately, however, FPU investigators have been harassed by National Population Commission to provide money for verifications, usually 10,000 Naira, the equivalent of about 70 dollars. This is apparently a revenue collecting scheme on the part of the National Population Commission. In some cases, the working relationship between the investigator and the official, with whom they have dealt before, has meant the registrar could be persuaded to waive the fee; many of these government officials, however, are becoming more hard-line on this fee, making document verification a costly prospect.

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STAFFING AND TRAINING  
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132. The FPU comprises FSO Fraud Prevention Manager Jennifer White, LES Fraud Investigator Supervisor Roma Eyen, LES Fraud Investigator Adedamola Ajibade, LES Fraud Investigator Ijeoma Ndurue, LES Secretary Chinyere Harry, LES Fraud Analyst Samuel Olorunsogo and

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LES Data Specialist Fineboy Mark. Ms. Ajibade completed the FSN Fraud Prevention Workshop in March 2007 and Ms. Eyen attended the regional consular FSN workshop in April 2007.

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